

REMARKS

I.      Summary of Office Action

Claims 14-19, 39-44, 64-69, and 89-94 were pending in the application.

Claims 14-15, 17, 19, 39-40, 42, 44, 64-65, 67, 69, 89-90, 92, and 94 were rejected under 35 U.S.C. § 102(e) as being anticipated by Matthews III et al. U.S. Publication No. 2004/0139465 A1 (hereinafter "Matthews").

Claims 16, 41, 66, and 91 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Matthews in view of Schlarb et al. U.S. Publication No. 2004/0078823 A1 (hereinafter "Schlarb").

Claims 18, 43, 68, and 93 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Matthews in view of Dunn U.S. Patent No. 6,668,377 B1 (hereinafter "Dunn").

The rejections of applicants' claims are respectfully traversed.

II.     Summary of Applicants' Reply

Applicants have amended independent claims 14, 39, 64, and 89 and dependent claims 19 and 44 to more particularly define the invention. Applicants have added new claims 101-104. The claim amendments and new claims are fully supported by the application as originally filed and do not add new matter. See, e.g., page 12, lines 7-18.

III.     Applicants' Reply to the 35 U.S.C. § 102(e) Rejection

Applicants' independent claims 14, 39, 64, and 89 are directed to a method, systems, and machine-readable media for

providing users with real-time information through an interactive television program guide application. For example, applicants' specification describes that the real-time information can be "sports scores for games in progress, real-time game statistics, game delay information . . . real-time stock quotes or other financial information, real-time news, current weather information, or any other suitable real-time data." See, applicants' specification, page 12, lines 1-6. The real-time information is accessed from at least one real-time data feed. A program listing "comprising at least some of the real-time information" is displayed. See claims 14, 39, 64, and 89. The user is provided with a selectable indication that content related to the real-time information is available. In response to the indication being selected, the content is displayed.

A. The Examiner's Interpretation of Applicants' Real-Time Information is Unreasonably Broad

Although applicants realize that claims must be given their broadest reasonable interpretation, applicants respectfully submit that the Examiner's interpretation of independent claims 14, 39, 64, and 89 is unreasonable and overly broad.

In the Office Action, the Examiner contends that applicants' claimed features of a "program listing comprising at least some of the real-time information" and "an indication that content related to the real-time information is available" are shown in Matthews, paragraphs 47 and 69, by "hyperlinks" which are located in an electronic program guide (EPG). See, Office Action, page 2-3. Furthermore, the Examiner contends that applicants' claimed feature of "in response to selecting the

indication, displaying the content" is shown in Matthews, paragraph 72, by a browser being launched and a Web page being displayed when the hyperlink is accessed. See, Office Action, page 3. Thus, the Examiner seems to be equating applicants' "real-time information" with a website URL and the contents of a Web page.

Applicants submit that this interpretation is unreasonable because it is inconsistent with the well-known meaning of the terms "real-time" and "real-time information." For example, the Webster On-line Dictionary defines the term "real-time" as the "time in which reporting on events or recording of events is simultaneous with the events" (<http://www.websters-online-dictionary.org/definition/real+time>, accessed June 16, 2008). Thus, real-time information is information that reports or records an event simultaneously with that event occurring. However, nowhere does Matthews show or suggest that its Web pages or website URL's contain information which reports or records an event simultaneously with that event occurring. In addition, nowhere does Matthews show "displaying at least one program listing comprising at least some of the real-time information."

Furthermore, applicants remind the Examiner that claim terms must be given their broadest reasonable interpretation "in light of the specification." [In re Am. Acad. of Sci. Tech. Ctr.], 367 F.3d 1359, 1364; MPEP § 2111. Applicants' specification clearly describes and gives examples of real-time information such as a "current score [of a sports game], status of the game, sports news," as a "breaking news story," or as "real time stock quotes or other financial information . . . weather information, or any other suitable real-time data." See applicants' specification, page 12, lines 4-6, page 59, lines 8-

9, and page 66, lines 7-8. Equating real-time information with a traditional Web page or website URL is overbroad and unreasonable. For this reason alone, applicants submit that independent claims 14, 39, 64, and 89 are patentable over Matthews.

B. Even If the Content Shown in Matthews' Web Pages Could Be Considered Real-Time Information, It Would Still Not Be Accessed From A Real-Time Data Feed

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Applicants' independent claims 14, 39, 64, and 89, as amended, also recite that real-time information is accessed "from at least one real-time data feed." However, in Matthews, URL's for Web pages and supplemental content are stored in data structure 48 of the headend. See, Matthews, paragraph 54, lines 1-4 and FIG. 2, data field 58. The information in data structure 48 is transmitted to the headend as data records that are "downloaded on a periodic basis, or, alternatively, individual data records for certain programs and channels can be selectively transmitted in response to viewer requests." See, Matthews, paragraph 68, lines 3-8. This is in contrast to applicants' claimed invention, as recited by independent claims 14, 39, 64, and 89, which accesses information from a real-time feed.

For at least the foregoing reasons, applicants submit that independent claims 14, 39, 64, and 89 are patentable over Matthews. Applicants respectfully request, therefore, that the rejection of these claims (as well as dependent claims 15, 17, 19, 40, 42, 44, 65, 67, 69, 90, 92, and 94) under 35 U.S.C. § 102(e) be withdrawn.

IV. Applicants' Reply to the 35 U.S.C. § 103(a) Rejections

The Office Action rejected dependent claims 16, 41, 66, and 91 under 35 U.S.C. § 103(a) as being unpatentable over Matthews in view of Schlarb. Furthermore, the Office Action rejected dependent claims 18, 43, 68, and 93 under 35 U.S.C. § 103(a) as being unpatentable over Matthews in view of Dunn. Applicants submit that these claims are allowable for at least the same reasons as their respective independent base claims, claims 14, 39, 64, and 89. Applicants respectfully request, therefore, that the rejection of claims 16, 18, 41, 43, 66, 68, 91, and 93 under 35 U.S.C. § 103(a) be withdrawn.

V. New Claims 101-104

New claims 101-104 depend from one of independent claims 14, 39, 64, and 89 and add further limitation to claims 14, 39, 64, and 89. New claims 101-104 are allowable, therefore, for at least the same reasons as independent claims 14, 39, 64, and 89.

VI. Conclusion

In view of the foregoing, claims 14-19, 39-44, 64-69, 89-94, and 101-104 are in condition for allowance. This application is therefore in condition for allowance.

Reconsideration and allowance of this application are respectfully requested.

Respectfully submitted,

  
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